

# Competing Local Service Provider Certification

The following information is provided to assist interested persons regarding certification to offer intrastate competitive local services in Arkansas.

Arkansas Code Annotated §23-409-3(8) defines a CLEC or competing local exchange carrier to mean a local exchange carrier that is not an incumbent local exchange carrier.

The Commission's *Rules of Practice and Procedure* (RPP) Rule 7.05.(f) sets out the required information to be included in an application for a Certificate of Public Convenience and Necessity (CCN) for Competing Local Exchange Carriers. A copy of RPP Rule 7.05.(f) is included below.

Certification is required for telecommunications providers that resell services as well as facilities based providers.

The application should be signed and verified in accordance with RPP Rule 2.05. The filing fee is two hundred dollars (\$200.00) and must accompany each application for a CCN. An original and 13 copies of the application should be submitted to the Secretary of the Commission ((501) 682-5782) at the following address:

Secretary of the Commission  
Arkansas Public Service Commission  
1000 Center Street, P.O. Box 400  
Little Rock, AR 72203-0400

RPP Rule 3.17 states that any person, except a corporation, may enter an appearance on his or her own behalf in any formal proceeding before the Commission. A formal proceeding is one in which the Secretary of the Commission has assigned a docket number. A corporation must be represented by a licensed attorney. It is not required that the attorney be licensed in Arkansas.

A complete copy of the RPP, *Telecommunications Providers Rules*, *Universal Service Fund Rules*, or *Arkansas Intrastate Carrier Common Line Pool Rules* may be purchased from the Secretary's office at the cost of \$.25 per page. Rules are also available from the Commission's web site at <http://www.accessarkansas.org/psc>.

RPP Rule 7.05.(f)(2) requires that an application by a non-Arkansas corporation include a copy of their certificates to operate as a foreign corporation and, if appropriate, to operate with a fictitious name as issued by the Arkansas Secretary of State. The Office of the Secretary of State may be reached at (501) 682-1010.

After certification CLECs become participants with the incumbent local exchange carriers and interexchange carriers in the Arkansas Intrastate Carrier Common Line Pool (AICCLP). Pool participants are generally required to report Intrastate revenues monthly, pay common line access charges monthly, and furnish an audit annually. The Administrator of the AICCLP can be reached at (501) 373-5903.

Telecommunications providers are required to participate in the Arkansas Universal Service Fund (AUSF) which is currently administered by Rhoads & Sinon Group LLC. Additional information is available on the Rhoads & Sinon Group LLC website at <http://www.rhoads-sinon.com/publicutility/arkansas/index.htm>. The Manager of State USF Programs at Rhoads & Sinon Group LLC can be reached at (717) 231-6661.

Telecommunications providers are required to provide an annual report pursuant to Arkansas Code Annotated §23-2-308, report their gross revenues annually in accordance with §23-3-109 and pay an annual fee in accordance with §23-3-110. Questions concerning the annual or revenue report should be directed to the Commission's Audit Section at (501) 682-5657.

Telecommunications providers are required to provide annual reports to the Commission's Tax Division for the purpose of ad valorem taxation. Questions concerning the taxation should be directed to the Commission's Tax Division at (501) 682-1231.

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**Rule 7.05. Certificates of Public Convenience and Necessity -- Local Exchange Carriers**

- (f) Certificates of Public Convenience and Necessity for Competing Local Exchange Carriers

In filing a request for a Certificate of Public Convenience and Necessity to provide telecommunications services including basic local exchange service and/or switched access service to an ILEC's local exchange area, a CLEC shall provide the following information:

- (1) Its name and address and the full name of its owner if a sole proprietorship, of each partner if a partnership, or a full list of the officers and directors if a corporation.
- (2) A copy of the articles of a partnership or a certified copy of the Articles of Incorporation. A copy of the Certificate of Authority to Foreign Corporation unless incorporated under Arkansas law.
- (3) The designated geographic area proposed to be served, including a map or maps to suitable scale and a legal description.
- (4) A description of the services that the applicant intends to provide in addition to basic local exchange and switched access services.
- (5) Information demonstrating the applicant's financial, managerial and technical capacity to provide the services.
- (6) An initial tariff or price list for the services to be offered.
- (7) Such other information as the Commission may require.